

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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IN RE: AVANDIA MARKETING, SALES	:	MDL NO. 1871
PRACTICES AND PRODUCTS	:	07-MD-01871
LIABILITY LITIGATION	:	
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THIS DOCUMENT APPLIES TO:	:	HON. CYNTHIA M. RUFÉ
ALL ACTIONS	:	
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ORDER

AND NOW, this 3rd day of July 2012, after a fact-finding hearing held this day to determine whether Heninger Garrison Davis, LLC is subject to the jurisdiction of the MDL Court and PTO 70's common benefit assessment, the Court finds that it has jurisdiction over the issues and further finds that a 7% assessment is owed on all cases Heninger Garrison Davis, LLC settled, under the terms of PTO 70. The Court makes these findings on several grounds, including but not limited to Heninger Garrison Davis, LLC's acknowledgment of this Court's jurisdiction and its stipulation to the entry of PTO 10 in Alabama State Court and having signed and executed the endorsement to PTO 10.

Accordingly, it is hereby **ORDERED** that Heninger Garrison Davis, LLC and GlaxoSmithKline will arrange for the transfer of 7% of the settlement funds into the MDL common benefit fund, pursuant to the joint signature provision of the Qualified Settlement Fund. The Court notes that William Lewis Garrison, Jr. of Heninger Garrison Davis, LLC agreed and stipulated to this relief. If this cannot be accomplished by **July 13, 2012**, joint notice must be provided to the Court.

It is further **ORDERED** that Heninger Garrison Davis, LLC shall, by **Friday, July 6,**

2012, withdraw with prejudice its Motion to Determine Which Claimants Are Subject to Multidistrict Litigation Common Benefit Fee Assessment, which is currently pending in the state court in Jefferson County, Alabama. During the July 3, 2012 hearing, Mr. Garrison agreed to withdraw that motion.

This Order is issued to provide immediate guidance to the parties. The Court will issue a Memorandum Opinion detailing its findings of fact and conclusions of law at a later date.

IT IS SO ORDERED.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.